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5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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8 DANNY LEON and CRISTINA LEON,

No. C 12-2824 SI

9 Plaintiffs,

**ORDER TO SHOW CAUSE WHY CASE
SHOULD NOT BE DISMISSED FOR
FAILURE TO PROSECUTE**

10 v.

11 CITIMORTGAGE, INC, CR TITLE
12 SERVICES, and DOES 1 through 10,

13 Defendants.
14 _____/

15 On May 4, 2012, plaintiffs filed this foreclosure-related action against defendants Citimortgage,
16 Inc. and CR Title Services in Alameda Superior Court. On June 1, 2012, defendants removed the case
17 to this Court. On June 8, 2012, defendants filed a motion to dismiss plaintiffs' complaint for failure to
18 state a claim. On June 18, 2012, the Court referred this case to the Alternative Dispute Resolution
19 (ADR) Unit for a telephone conference to assess this case's suitability for mediation or a settlement
20 conference. The Court vacated the defendant's motion to dismiss while the case was discussed in ADR.

21 On August 6, 2012, defendant Citimortgage filed an *Ex Parte* Application for Order Dismissing
22 Action For Failure to Prosecute. Defendant informs the Court that plaintiffs did not appear at the ADR
23 telephone conference. Defendant further informs the Court that plaintiff's counsel has been suspended
24 from the practice of law since June 21, 2012. *See* Def.'s Ex Parte Application, Ex. 1. Plaintiffs have
25 not filed any opposition to defendant's application or motion to dismiss, or contacted this Court in any
26 other way.

27 Accordingly, plaintiffs are **ORDERED TO SHOW CAUSE in writing by August 17, 2012,**
28 why this case should not be dismissed for failure to prosecute. *See* Fed. R. Civ. P. 41(b). Failure to

1 comply with this deadlines will result in the dismissal of plaintiff's complaint without prejudice.

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3 **IT IS SO ORDERED.**

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5 Dated: August 10, 2012



SUSAN ILLSTON
United States District Judge